

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

RICKY DAVIS

PLAINTIFF

v.

No. 4:13CV33-A-V

FAYE NOEL, ET AL.

DEFENDANTS

JUDGMENT

Having considered the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge and the objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is ordered:

1. That the plaintiff's objections to the Magistrate Judge's Report and Recommendation are **OVERRULED**;
2. That the Report and Recommendation of the United States Magistrate Judge is hereby **APPROVED AND ADOPTED** as the opinion of the court; and
3. That the plaintiff's claims regarding denial of due process are **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted.
4. That the plaintiff's claims regarding retaliation as to all defendants will **PROCEED**.

SO ORDERED, this, the 28th day of May, 2014.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE